



February 18, 2005

HOUSE BILL No. 1121

DIGEST OF HB 1121 (Updated February 17, 2005 9:42 am - DI 51)

Citations Affected: IC 33-33; noncode.

Synopsis: Howard superior court. Adds an additional judge to the Howard superior court beginning January 6, 2006. Establishes a second Dearborn superior court. Establishes a second DeKalb superior court. Provides that the initial judge of the second DeKalb superior court is appointed for a term beginning January 1, 2006. Eliminates the DeKalb County small claims referee. Adds an additional superior court in Hamilton County. Establishes the Perry superior court. Adds an additional judge to the Vigo superior court.

Effective: July 1, 2005.

Smith J, Buck, Turner

January 6, 2005, read first time and referred to Committee on Courts and Criminal Code.
January 27, 2005, reported — Do Pass.
January 31, 2005, reassigned to Committee on Ways and Means pursuant to Rule 127.
February 17, 2005, amended, reported — Do Pass.

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HB 1121—LS 6795/DI 69+



February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1121

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-33-15-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There ~~is~~ **are**
3 established ~~a court~~ **two (2) courts** of record to be known as the:

4 (1) Dearborn superior court **No. 1**; and

5 (2) **Dearborn superior court No. 2.**

6 (b) ~~The Each~~ Dearborn superior court is a standard superior court
7 as described in IC 33-29-1.

8 (c) Dearborn County comprises the judicial district of ~~the each~~
9 superior court.

10 SECTION 2. IC 33-33-15-3 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. ~~The Each~~ Dearborn
12 superior court has one (1) judge who shall hold sessions in:

13 (1) the Dearborn County courthouse in Lawrenceburg; or ~~in~~

14 (2) other places in the county as the Dearborn County executive
15 may provide.

16 SECTION 3. IC 33-33-15-4 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. In addition to a

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bailiff and an official court reporter for the court appointed under IC 33-29-1-5, ~~the each~~ judge may appoint a referee, a commissioner, or other personnel as the judge considers necessary to facilitate and transact the business of the court. The salary of a referee, a commissioner, or other person:

(1) shall be fixed in the same manner as the salaries of the personnel for the Dearborn circuit court; and

(2) shall be paid monthly out of the treasury of Dearborn County as provided by law.

Personnel appointed under this section or IC 33-29-1-5 continue in office until removed by the judge of the court **for which the personnel were appointed.**

SECTION 4. IC 33-33-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Except as provided in subsection (b), ~~the each~~ Dearborn superior court has the same jurisdiction as the Dearborn circuit court.

(b) The Dearborn circuit court has exclusive juvenile jurisdiction.

SECTION 5. IC 33-33-15-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~The Each~~ Dearborn superior court has a standard small claims and misdemeanor division.

SECTION 6. IC 33-33-17-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There ~~is~~ **are** established ~~a court two~~ **(2) courts** of record to be known as the:

(1) DeKalb superior court **No. 1; and**

(2) DeKalb superior court No. 2.

(b) ~~The Each~~ DeKalb superior court is a standard superior court as described in IC 33-29-1.

(c) DeKalb County comprises the judicial district of ~~the each~~ superior court.

SECTION 7. IC 33-33-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. ~~The Each~~ DeKalb superior court has one (1) judge who shall hold sessions in:

(1) the DeKalb County courthouse in Auburn; or

(2) other places in the county as the board of county commissioners of DeKalb County may provide.

SECTION 8. IC 33-33-17-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) If:

(1) the clerk of the circuit court of DeKalb County receives the transcript of the original papers in a civil action or proceeding **received by the clerk of the circuit and superior courts of DeKalb**

County on a change of venue from another county; contains and

(2) the papers described in subdivision (1) contain an order of

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the court from which venue was changed designating the circuit court or **one (1) of the superior court courts** as the court to which the case is to be transferred;
the clerk shall file the action or proceeding on the docket of the designated court.

(b) If:

(1) the clerk of the circuit court of DeKalb County receives the transcript of the original papers in a civil action or proceeding does on a change of venue from another county; and

(2) the papers described in subdivision (1) do not contain an order designating the court to which the case is to be transferred; the clerk shall alternately file each action or proceeding on the docket of the circuit court and or the docket of one (1) of the superior court courts, depending on the order and sequence in which the papers of the cases reach the clerk, so that if the first case is assigned to the circuit court, the next must be assigned to the superior court No. 1, and the next must be assigned to the superior court No. 2.

SECTION 9. IC 33-33-17-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~The Each~~ DeKalb superior court has the same jurisdiction as the DeKalb circuit court.

SECTION 10. IC 33-33-17-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. ~~The Each~~ DeKalb superior court has a standard small claims and misdemeanor division.

SECTION 11. IC 33-33-29-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There are established ~~five (5)~~ **six (6)** superior courts of record to be known as the:

(1) Hamilton superior court No. 1; the

(2) Hamilton superior court No. 2; the

(3) Hamilton superior court No. 3; the

(4) Hamilton superior court No. 4; and the

(5) Hamilton superior court No. 5; and

(6) Hamilton superior court No. 6.

(b) Except as otherwise provided in this chapter, each Hamilton superior court is a standard superior court as described in IC 33-29-1.

(c) Hamilton County constitutes the judicial district of each court.

SECTION 12. IC 33-33-29-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. The:

(1) Hamilton superior court No. 4; and the

(2) Hamilton superior court No. 5; and

(3) Hamilton superior court No. 6;

each have a standard small claims and misdemeanor division.

SECTION 13. IC 33-33-34-3 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. There is established a court of record to be known as the Howard superior court. The court consists of ~~two (2)~~ **three (3)** judges, each of whom holds office for six (6) years and until the judge's successor is elected and qualified.

SECTION 14. IC 33-33-62-2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 2. (a) There is established a court of record to be known as the Perry superior court.**

(b) The Perry superior court is a standard superior court as described in IC 33-29-1.

(c) Perry County comprises the judicial district of the court.

SECTION 15. IC 33-33-62-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 3. The Perry superior court has one (1) judge who shall hold sessions in:**

(1) the Perry County courthouse in Tell City; or

(2) other places in the county as the board of county commissioners of Perry County may provide.

SECTION 16. IC 33-33-62-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 4. The Perry superior court has the same jurisdiction as the Perry circuit court.**

SECTION 17. IC 33-33-62-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5. The Perry superior court has a standard small claims and misdemeanor division.**

SECTION 18. IC 33-33-84-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. There is established a court of record to be known as the Vigo superior court. The superior court has ~~four (4)~~ **five (5)** judges who shall hold their office for six (6) years and until their successors have been elected and qualified.

SECTION 19. IC 33-33-17-5 IS REPEALED [EFFECTIVE JULY 1, 2005].

SECTION 20. [EFFECTIVE JULY 1, 2005] **(a) Notwithstanding the amendment of IC 33-33-15 by this act, the Dearborn superior court No. 2 is not established until January 1, 2006.**

(b) The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge of the Dearborn superior court No. 2 established by IC 33-33-15-2, as amended by this act, before January 1, 2006.

(c) The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.

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(d) The initial election of the judge of the Dearborn superior court No. 2 is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.

(e) This SECTION expires January 2, 2007.

SECTION 21. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding the amendment of IC 33-33-17 by this act, the DeKalb superior court No. 2 is not established until January 1, 2006.

(b) The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge of the DeKalb superior court No. 2 added by IC 33-33-17-2, as amended by this act.

(c) The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.

(d) The initial election of the judge of the DeKalb superior court No. 2 is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.

(e) Notwithstanding the repeal of IC 33-33-17-5 by this act, the part-time small claims referee appointed under IC 33-33-17-5 shall continue to assist the DeKalb superior court in the exercise of its small claims jurisdiction until December 31, 2005.

(f) This SECTION expires January 2, 2007.

SECTION 22. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding IC 33-33-29-2, as amended by this act, the Hamilton superior court No. 6 is not established until January 1, 2007.

(b) Notwithstanding IC 33-33-29-8, as amended by this act, the Hamilton superior court No. 6 does not have a standard small claims and misdemeanor division until January 1, 2007.

(c) The initial election of the judge of the Hamilton superior court No. 6 established in IC 33-33-29-2, as amended by this act, is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.

(d) This SECTION expires January 2, 2007.

SECTION 23. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding IC 33-33-34-3, as amended by this act, the Howard superior court is not expanded to three (3) judges until January 6, 2006.

(b) The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge added to the Howard superior court by IC 33-33-34-3, as amended by this act.

(c) The term of the initial judge appointed under subsection (b) begins January 6, 2006, and ends December 31, 2006.

(d) The initial election of the judge of the Howard superior court added by IC 33-33-34-3, as amended by this act, is the general election on November 7, 2006. The term of the initially

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1 elected judge begins January 1, 2007.

2 (e) This SECTION expires January 2, 2007.

3 SECTION 24. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding
4 IC 33-33-62-2, as added by this act, the Perry superior court is not
5 established until January 1, 2006.

6 (b) The governor shall appoint a person under IC 3-13-6-1(c) to
7 serve as the initial judge of the Perry superior court established by
8 IC 33-33-62-2, as added by this act.

9 (c) The term of the initial judge appointed under subsection (b)
10 begins January 1, 2006, and ends December 31, 2006.

11 (d) The initial election of the judge of the Perry superior court
12 is the general election on November 7, 2006. The term of the
13 initially elected judge begins January 1, 2007.

14 (e) This SECTION expires January 2, 2007.

15 SECTION 25. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding
16 IC 33-33-84-3, as amended by this act, the Vigo superior court is
17 not expanded to five (5) judges until January 1, 2006.

18 (b) The governor shall appoint a person under IC 3-13-6-1(c) to
19 serve as the initial judge added to the Vigo superior court by
20 IC 33-33-84-3, as amended by this act.

21 (c) The term of the initial judge appointed under subsection (b)
22 begins January 1, 2006, and ends December 31, 2006.

23 (d) The initial election of the judge of the Vigo superior court
24 added by IC 33-33-84-3, as amended by this act, is the general
25 election in November 2006. The term of the initially elected judge
26 begins January 1, 2007.

27 (e) This SECTION expires January 2, 2007.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1121, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

ULMER, Chair

Committee Vote: yeas 9, nays 1.

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HB 1121—LS 6795/DI 69+



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1121, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 33-33-15-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There ~~is~~ **are** established ~~a court~~ **two (2) courts** of record to be known as the:

(1) Dearborn superior court **No. 1; and**

(2) Dearborn superior court No. 2.

(b) ~~The~~ **Each** Dearborn superior court is a standard superior court as described in IC 33-29-1.

(c) Dearborn County comprises the judicial district of ~~the~~ **each** superior court.

SECTION 2. IC 33-33-15-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. ~~The~~ **Each** Dearborn superior court has one (1) judge who shall hold sessions in:

(1) the Dearborn County courthouse in Lawrenceburg; or ~~in~~

(2) other places in the county as the Dearborn County executive may provide.

SECTION 3. IC 33-33-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. In addition to a bailiff and an official court reporter for the court appointed under IC 33-29-1-5, ~~the~~ **each** judge may appoint a referee, a commissioner, or other personnel as the judge considers necessary to facilitate and transact the business of the court. The salary of a referee, a commissioner, or other person:

(1) shall be fixed in the same manner as the salaries of the personnel for the Dearborn circuit court; and

(2) shall be paid monthly out of the treasury of Dearborn County as provided by law.

Personnel appointed under this section or IC 33-29-1-5 continue in office until removed by the judge of the court **for which the personnel were appointed.**

SECTION 4. IC 33-33-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Except as provided in subsection (b), ~~the~~ **each** Dearborn superior court has the same jurisdiction as the Dearborn circuit court.

(b) The Dearborn circuit court has exclusive juvenile jurisdiction.

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SECTION 5. IC 33-33-15-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~The Each~~ Dearborn superior court has a standard small claims and misdemeanor division.

SECTION 6. IC 33-33-17-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There ~~is~~ **are** established ~~a court~~ **two (2) courts** of record to be known as the:

(1) DeKalb superior court **No. 1; and**

(2) **DeKalb superior court No. 2.**

(b) ~~The Each~~ DeKalb superior court is a standard superior court as described in IC 33-29-1.

(c) DeKalb County comprises the judicial district of ~~the each~~ superior court.

SECTION 7. IC 33-33-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. ~~The Each~~ DeKalb superior court has one (1) judge who shall hold sessions in:

(1) the DeKalb County courthouse in Auburn; or

(2) other places in the county as the board of county commissioners of DeKalb County may provide.

SECTION 8. IC 33-33-17-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) If:

(1) **the clerk of the circuit court of DeKalb County receives** the transcript of the original papers in a civil action or proceeding ~~received by the clerk of the circuit and superior courts of DeKalb County on a change of venue from another county; contains and~~

(2) **the papers described in subdivision (1) contain** an order of the court from which venue was changed designating the circuit court or **one (1) of the superior court courts** as the court to which the case is to be transferred;

the clerk shall file the action or proceeding on the docket of the designated court.

(b) If:

(1) **the clerk of the circuit court of DeKalb County receives** the transcript of the original papers in a civil action or proceeding **does on a change of venue from another county; and**

(2) **the papers described in subdivision (1) do** not contain an order designating the court to which the case is to be transferred;

the clerk shall alternately file each action or proceeding on the docket of the circuit court ~~and or~~ the docket of **one (1) of the superior court courts**, depending on the order and sequence in which the papers of the cases reach the clerk, so that if the first case is assigned to the circuit court, the next must be assigned to the superior court **No. 1, and the next must be assigned to the superior court No. 2.**

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SECTION 9. IC 33-33-17-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~The~~ **Each** DeKalb superior court has the same jurisdiction as the DeKalb circuit court.

SECTION 10. IC 33-33-17-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. ~~The~~ **Each** DeKalb superior court has a standard small claims and misdemeanor division.

SECTION 11. IC 33-33-29-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There are established ~~five (5)~~ **six (6)** superior courts of record to be known as the:

- (1) Hamilton superior court No. 1; ~~the~~
- (2) Hamilton superior court No. 2; ~~the~~
- (3) Hamilton superior court No. 3; ~~the~~
- (4) Hamilton superior court No. 4; ~~and the~~
- (5) Hamilton superior court No. 5; ~~and~~
- (6) **Hamilton superior court No. 6.**

(b) Except as otherwise provided in this chapter, each Hamilton superior court is a standard superior court as described in IC 33-29-1.

(c) Hamilton County constitutes the judicial district of each court.

SECTION 12. IC 33-33-29-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. The:

- (1) Hamilton superior court No. 4; ~~and the~~
- (2) Hamilton superior court No. 5; ~~and~~
- (3) **Hamilton superior court No. 6;**

each have a standard small claims and misdemeanor division."

Page 1, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 14. IC 33-33-62-2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) **There is established a court of record to be known as the Perry superior court.**

(b) **The Perry superior court is a standard superior court as described in IC 33-29-1.**

(c) **Perry County comprises the judicial district of the court.**

SECTION 15. IC 33-33-62-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. **The Perry superior court has one (1) judge who shall hold sessions in:**

- (1) **the Perry County courthouse in Tell City; or**
- (2) **other places in the county as the board of county commissioners of Perry County may provide.**

SECTION 16. IC 33-33-62-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. **The Perry superior court has**

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the same jurisdiction as the Perry circuit court.

SECTION 17. IC 33-33-62-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5. The Perry superior court has a standard small claims and misdemeanor division.**

SECTION 18. IC 33-33-84-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. There is established a court of record to be known as the Vigo superior court. The superior court has ~~four (4)~~ **five (5)** judges who shall hold their office for six (6) years and until their successors have been elected and qualified.

SECTION 19. IC 33-33-17-5 IS REPEALED [EFFECTIVE JULY 1, 2005].

SECTION 20. [EFFECTIVE JULY 1, 2005] (a) **Notwithstanding the amendment of IC 33-33-15 by this act, the Dearborn superior court No. 2 is not established until January 1, 2006.**

(b) **The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge of the Dearborn superior court No. 2 established by IC 33-33-15-2, as amended by this act, before January 1, 2006.**

(c) **The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.**

(d) **The initial election of the judge of the Dearborn superior court No. 2 is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.**

(e) **This SECTION expires January 2, 2007.**

SECTION 21. [EFFECTIVE JULY 1, 2005] (a) **Notwithstanding the amendment of IC 33-33-17 by this act, the DeKalb superior court No. 2 is not established until January 1, 2006.**

(b) **The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge of the DeKalb superior court No. 2 added by IC 33-33-17-2, as amended by this act.**

(c) **The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.**

(d) **The initial election of the judge of the DeKalb superior court No. 2 is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.**

(e) **Notwithstanding the repeal of IC 33-33-17-5 by this act, the part-time small claims referee appointed under IC 33-33-17-5 shall continue to assist the DeKalb superior court in the exercise of its small claims jurisdiction until December 31, 2005.**

(f) **This SECTION expires January 2, 2007.**

SECTION 22. [EFFECTIVE JULY 1, 2005] (a) **Notwithstanding**

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IC 33-33-29-2, as amended by this act, the Hamilton superior court No. 6 is not established until January 1, 2007.

(b) Notwithstanding IC 33-33-29-8, as amended by this act, the Hamilton superior court No. 6 does not have a standard small claims and misdemeanor division until January 1, 2007.

(c) The initial election of the judge of the Hamilton superior court No. 6 established in IC 33-33-29-2, as amended by this act, is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.

(d) This SECTION expires January 2, 2007."

Page 2, after line 1, begin a new paragraph and insert:

"SECTION 24. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding IC 33-33-62-2, as added by this act, the Perry superior court is not established until January 1, 2006.

(b) The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge of the Perry superior court established by IC 33-33-62-2, as added by this act.

(c) The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.

(d) The initial election of the judge of the Perry superior court is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.

(e) This SECTION expires January 2, 2007.

SECTION 25. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding IC 33-33-84-3, as amended by this act, the Vigo superior court is not expanded to five (5) judges until January 1, 2006.

(b) The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge added to the Vigo superior court by IC 33-33-84-3, as amended by this act.

(c) The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.

(d) The initial election of the judge of the Vigo superior court added by IC 33-33-84-3, as amended by this act, is the general election in November 2006. The term of the initially elected judge begins January 1, 2007.

(e) This SECTION expires January 2, 2007."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1121 as printed January 28, 2005.)

AYRES, Vice Chair

Committee Vote: yeas 18, nays 0.

HB 1121—LS 6795/DI 69+



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